

Decision 12-10-038 October 25, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Maria V. Lawrence,

Complainant,

vs.

Pacific Gas and Electric Company (U39G),

Defendant.

Case 11-04-019
(Filed April 25, 2011)

ORDER EXTENDING STATUTORY DEADLINE

Summary

Public Utilities Code Section 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. This matter has been categorized as adjudicatory, and the 12-month deadline for resolving this proceeding is October 31, 2012.

Maria V. Lawrence (Complainant) originally filed a complaint against Pacific Gas and Electric Company (PG&E or Defendant) on February 25, 2010, (Case (C.) 10-02-026), alleging a number of wrongful actions by the Defendant in relation to the initial placement and subsequent relocation of gas and electric lines on her property.

On April 25, 2011, Complainant filed the instant complaint alleging that the Defendant, on different occasions, wrongfully turned off gas and electric service at her home. Defendant contends that Complainant's gas and electrical

service was properly shut off because of unauthorized construction over the gas line and non-payment of the electricity bill. The Complainant seeks to require Defendant to pay various costs allegedly incurred as a result of the gas and electricity as well as a fine. On that same date, Complainant also filed a related complaint, C.11-04-018.

A Prehearing Conference was held on August 10, 2011. On December 7, 2011, the assigned Commissioner issued a scoping memo and ruling setting the scope of the proceeding, encouraging the parties to benefit from the Alternative Dispute Resolution Program, and confirming the preliminary determination of the need for hearing.

On January 23, 2012, PG&E filed an Issues Brief and a Motion for Request for Official Notice of documents. Complainant filed an Issue Brief on January 13, 2012, and a reply brief on February 3, 2012.

The Commission granted an extension of the statutory deadline to October 31, 2012. An extension of the statutory deadline to January 31, 2013, is reasonable to allow the assigned Administrative Law Judge (ALJ) adequate time to coordinate this proceeding with the related proceedings, C.10-02-026 and C.11-04-018, complete the Presiding Officer's Decision, and for the Commission to have a final decision in this complaint case and the related proceedings.

Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

Assignment of Proceeding

Timothy Alan Simon is the assigned Commissioner and W. Anthony Colbert is the assigned ALJ and presiding officer in this proceeding.

Findings of Fact

1. The 12-month deadline for resolving this complaint case is October 31, 2012.
2. An extension of time until January 31, 2013, should give the assigned ALJ adequate time to complete the Presiding Officer's Decision and for the Commission to have a final decision in this complaint case.

Conclusions of Law

1. The 12-month statutory deadline imposed by Public Utilities Code Section 1701.2(d) should be extended until January 31, 2013.
2. This matter should be effective immediately.

IT IS ORDERED that the time for completion of this complaint case is extended until January 31, 2013.

This order is effective today.

Dated October 25, 2012, at Irvine, California.

MICHAEL R. PEEVEY
President
TIMOTHY ALAN SIMON
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
MARK J. FERRON
Commissioners